



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of :
:
Cunningham et al. : Examiner: Not yet assigned
:
Serial No. 10/714,699 : Art Unit: Not yet Assigned
:
Filed: November 17, 2003 :
:
For: A SMALL SURVIVAL- :
PROMOTING/IMMUNOMODULATORY :
PEPTIDE FOR TREATMENT OF BRAIN:
DAMAGE, NEURODEGENERATIVE :
DISORDERS, AND INFLAMMATORY :
DISORDERS :

FIRST INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §1.97

In accordance with the provisions of 37 C.F.R. §1.56, applicants hereby submit the attached PTO Form-1449, listing references which the patent examiner is requested to consider and make of record in the above-identified application. Copies of the listed references are enclosed herewith. This submission is believed to be in full compliance with the requirements of 37 C.F.R. §1.98.

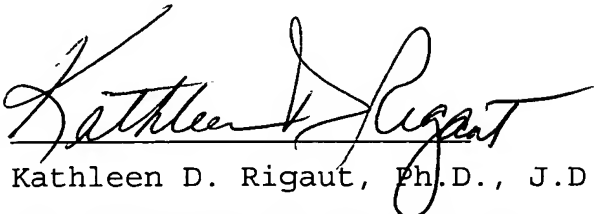
In the opinion of the undersigned, the foregoing references are the most pertinent of which the undersigned is aware. However, no representation is made or intended that more pertinent references do not exist.

It is believed that the subject matter claimed in the present application constitutes a significant advance in the art, as represented by the references discussed above, and is deserving of patent protection. Early and favorable

consideration leading to prompt issuance of this application is earnestly solicited.

DANN DORFMAN HERRELL and
SKILLMAN, P.C.

Attorneys for Applicant

By 
Kathleen D. Rigaut, Ph.D., J.D.
PTO Registration No. 43,047

KDR:JEL

INFORMATION DISCLOSURE STATEMENT



SHEET 1 OF 2

Complete if known

Application Number: 10/714,699

Filing Date: November 17, 2003

First Named Inventor: Cunningham et al.

Group Art Unit: Not yet assigned

Examiner Name: Not yet assigned

Our File No. 1801-PO3049US1

UNITED STATES PATENT DOCUMENTS

EXAMINER'S INITIALS	CITE NO.	PATENT NUMBER	ISSUE DATE MM-DD-YYYY	FIRST NAMED INVENTOR
	A1	6,262,024	July 17, 2001	Cunningham et al.

FOREIGN PATENT DOCUMENTS

EXAMINER'S INITIALS	CITE NO.	DOCUMENT NUMBER	COUNTRY OR REGION	DATE OF PUBLICATION MM-DD-YYYY	FIRST NAMED INVENTOR OR APPLICANT
	B1	WO 92/11026	WO	07-09-1992	Rao et al.
	B2	WO 93/06116	WO	04-01-1993	Lin et al.

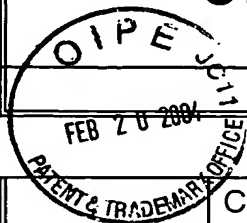
OTHER PRIOR ART - NON-PATENT DOCUMENTS

EXAMINER'S INITIALS	CITE NO.	Include name of the author (in Capital Letters), title of the article (when appropriate), title of the item(book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published
	C1	Mihelich et al., Structure-based design of a new class of anti-inflammatory drugs: secretory phospholipase A ₂ inhibitors, SPI, Biochimica et Biophysica Acta 1441 (1999), pages 223-228.
	C2	Springer, D, An Update on Inhibitors of Human 14kDa Type II s-PLA ₂ in Development, Current Pharmaceutical Design (2001), Vol. 7, pages 181-198.
	C3	Abraham et al., Efficacy and safety of LY315920Na/S-5920, a selective inhibitor of 14-kDa group IIa secretory phospholipase A ₂ , in patients with suspected sepsis and organ failure, Critical Care Medicine, (2003) Vol. 31, No. 3, pages 718-728.
	C4	Eagleson, et al., Rescue of Both Rapidly and Slowly Degenerating Neurons in the Dorsal Lateral Geniculate Nucleus of Adult Rats by a Cortically Derived Neuron Survival Factor, Experimental Neurology, (1992) Vol. 116, pages 156-162.
	C5	Eagleson et al., Different Populations of Dorsal Lateral Geniculate Nucleus Neurons Have Concentration-Specific Requirements for a Cortically Derived Neuron Survival Factor, Experimental Neurology, (1990), Vol. 110: pages 284-290.

EXAMINER'S SIGNATURE	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP §609. Draw a line through citation if citation not in conformance and reference not considered. Include a copy of this form with next communication to applicant.

INFORMATION DISCLOSURE STATEMENT



SHEET 2 OF 2

Complete if known

Application Number: 10/714,699

Filing Date: November 17, 2003

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Group Art Unit: Not yet assigned

Examiner Name: Not yet assigned

Our File No. 1801-PO3049US1

C6	Paterson et al., α -Cardiac Actin is the Major Sarcomeric Isoform Expressed in Embryonic Avian Skeletal Muscle, <i>Science</i> (1984), Vol. 224, pages 1436-1438.
C7	Cunningham et al., Identification of a Survival-Promoting Peptide in Medium Conditioned by Oxidatively Stressed Cell Lines of Nervous System Origin, <i>The Journal of Neuroscience</i> (1998), Vol. 18, No. 18., pages 7047-7060.
C8	Cunningham et al., Identification of the Human cDNA for New Survival/Evasion Peptide (DSEP): Studies <i>in Vitro</i> and <i>in Vivo</i> of Overexpression by Neural Cells, <i>Experimental Neurology</i> (2002), Vol. 177, pages 32-39.
C9	Cunningham et al., Calreticulin Binding and Other Biological Activities of Survival Peptide Y-P30 Including Effects of Systemic Treatment of Rats, <i>Experimental Neurology</i> (2000), Vol. 163, pages 457-468.

EXAMINER'S SIGNATURE		DATE CONSIDERED	
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Timothy J. Cunningham, et al. :
Serial No. 10/714,699 :
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PROMOTING/IMMUNOMODULATORY PEPTIDE :
FOR TREATMENT OF BRAIN DAMAGE, :
NEURODEGENERATIVE DISORDERS, AND :
INFLAMMATORY DISORDERS :

Certificate of Mailing Under 37 CFR §1.8(a)

I hereby certify that this Correspondence is being deposited on February 17, 2004 with the United States Postal Service as first-class mail in an envelope properly addressed to COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, VA 22313-1450.

February 17, 2004
Date of Certificate

Jane C. Bogan
Jane C. Bogan